

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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WILLIAM GUTIERREZ,

Plaintiff,

-against-

MBNA AMERICA BANK N.A.,

Defendant.
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GERSHON, United States District Judge:

In accordance with the unopposed Report and Recommendation of Magistrate Judge
Lois Bloom, this case is dismissed for lack of subject matter jurisdiction.

SO ORDERED

/s/

Nina Gershon
United States District Judge

Dated: October 7, 2005
Brooklyn, New York

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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.
★ OCT 12 2005 ★
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